

Docket No.: 3493-0147PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Marc SCHWALLER

Application No.: 10/527,810

Confirmation No.: 1921

Filed: March 14, 2005

Art Unit: 1615

For: COMPOSITION CONTAINING IN
COMBINATION AT LEAST ONE GOURD
OIL AND AT LEAST ONE BORAGE OIL, USE
THEREOF AS MEDICINE, AS
DERMATOLOGICAL OR DERMATO-
COSMETIC AGENT

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notification of Missing Requirements dated November 14, 2005,
Applicant respectfully submits:

- ☒ Attached is a copy of the Notification of Missing Requirements (371 Formalities Letter).
- ☒ Attached is the Executed Declaration and Power of Attorney ☒ Original ☐ Photocopy.
- ☐ The specification attached to the executed Declaration and Power of Attorney is a true copy of the specification that was filed in the U.S. Patent and Trademark Office on March 14, 2005, including any amendments thereto, (if applicable) filed on even date therewith.

Application No.: 10/527,810

Docket No.: 3493-0147PUS1

☒ The undersigned hereby declares that "Attorney Docket No. 3493-0147PUS1" on page 1 of the attached Inventors' Declaration corresponds to Appl. No.10/527,810 filed March 14, 2005 entitled "COMPOSITION CONTAINING IN COMBINATION AT LEAST ONE GOURD OIL AND AT LEAST ONE BORAGE OIL, USE THEREOF AS MEDICINE, AS DERMATOLOGICAL OR DERMATO-COSMETIC AGENT."

☐ Attached is an English language translation of the above-identified application that was filed in a foreign language, which should be used as the copy for examination purposes.

See the attached Translator's Verification; or

The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.

☐ Attached are sheet(s) of drawings. Please substitute these replacement drawings for the corresponding sheet(s) of drawings on file in the above-identified application.

☐ Attached are substitute claims commencing on a separate sheet in accordance with 37 C.F.R. § 1.75(h).

☐ Attached is a substitute abstract commencing on a separate sheet in accordance with 37 C.F.R. § 1.72(b).

☐ Attached is a substitute specification that complies with 37 C.F.R. § 1.52. The substitute specification does not contain new matter.

☐ Attached is a preliminary amendment.

☐ Applicant claims small entity status under 37 C.F.R. § 1.27.

☐ Attached is a Supplemental Application Data Sheet (ADS).

☐ Submitted concurrently herewith under separate cover for recording is an Assignment.

Application No.: 10/527,810

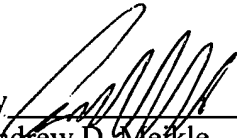
Docket No.: 3493-0147PUS1

- ☐ Attached is a Petition for Extension of Time.
- ☒ The Government Filing Surcharge for late filing of oath and/or declaration in the amount of \$130.00 in accordance with 37 C.F.R. §§ 1.494 and 1.492 was previously paid for concurrently with the filing of the application on March 14, 2005.
- ☐ Attached hereto is the fee transmittal listing the required fees.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: January 17, 2006

Respectfully submitted,

By 
Andrew D. Meikle
Registration No.: 32,868
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)

Rec'd PCT/PTO 17 JAN 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,810	Marc Schwaller	3493-0147PUS1

INTERNATIONAL APPLICATION NO.

PCT/FR03/02693

I.A. FILING DATE	PRIORITY DATE
------------------	---------------

09/11/2003

09/12/2002

02292
 BIRCH STEWART KOLASCH & BIRCH
 PO BOX 747
 FALLS CHURCH, VA 22040-0747

me
DOCKETED
Perfecr
1/14/2006

CONFIRMATION NO. 1921

371 FORMALITIES LETTER



OC000000017446439

Date Mailed: 11/14/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/14/2005
- English Translation of the IA filed on 03/14/2005
- Copy of the International Search Report filed on 03/14/2005
- Copy of IPE Report filed on 03/14/2005
- Preliminary Amendments filed on 03/14/2005
- Information Disclosure Statements filed on 03/14/2005
- Small Entity Statement filed on 03/14/2005
- U.S. Basic National Fees filed on 03/14/2005
- Priority Documents filed on 03/14/2005
- Non-English Language Application filed on 03/14/2005
- Specification filed on 03/14/2005
- Claims filed on 03/14/2005
- Abstracts filed on 03/14/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

4/04 1 P
ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,810	PCT/FR03/02693	3493-0147PUS1

FORM PCT/DO/EO/905 (371 Formalities Notice)